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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

ARON M. OLINER, as Chapter 11 Trustee of
 The Kontrabecki Group Limited Partnership,
 and LEHMAN BROTHERS HOLDINGS
 INC.,

Plaintiffs,

v.

JOHN KONTRABECKI,

Defendant.

BK Adversary Proceeding No. 03-3264 DM

06-03787 CRB

Adversary Proceeding No. 03-3264 DM

**STIPULATED REQUEST RE BRIEFING
 AND HEARING SCHEDULE AND FOR
 AUTHORITY TO FILE OVER-LENGTH
 BRIEFS ON MOTION FOR
 WITHDRAWAL OF REFERENCE;
 ORDER THEREON**

Date: December 8, 2006
Time: 10:00 a.m.
Location: Courtroom 8
450 Golden Gate Avenue
San Francisco, CA 94102

In re
 CENTRAL EUROPEAN INDUSTRIAL
 DEVELOPMENT COMPANY, LLC d/b/a
 CEIDCO,

Debtor.

Bk. No. 02-30419-11-DM
 Chapter 11

In re
 THE KONTRABECKI GROUP LP,

Debtor.

Bk. No. 02-30421-11-DM
 Chapter 11

[Administratively Consolidated]

1 Plaintiff Lehman Brothers Holdings Inc. (“Lehman”) and Defendant John Kontrabecki
2 (“Kontrabecki”), through their undersigned counsel, hereby stipulate as follows:

3 1. On June 6, 2006, Kontrabecki filed in the Bankruptcy Court his Motion to Withdraw
4 the Reference of this Adversary Proceeding (the “Motion to Withdraw”). The Motion to Withdraw
5 was assigned shortly thereafter to the Honorable Charles R. Breyer, and a hearing was noticed for
6 September 29, 2006.

7 2. On July 12, 2006, Lehman filed in this Court a motion to defer proceedings on the
8 Motion to Withdraw, in order to permit the Bankruptcy Court first to hear and decide two motions
9 which Lehman brought in the Bankruptcy Court. Those motions (the “Bankruptcy Court Motions”)
10 sought (a) to strike Kontrabecki’s jury demand, and (b) a determination that the claims asserted
11 against Kontrabecki in the Adversary Proceeding are core matters within the meaning of 28 U.S.C.
12 §157.

13 3. This Court granted Lehman’s motion to defer by order issued August 24, 2006. As a
14 result, the briefing schedule and hearing on the Motion to Withdraw were vacated, and Kontrabecki
15 subsequently withdrew the Motion to Withdraw, without prejudice.

16 4. By Orders dated October 5, 2006, the Bankruptcy Court decided the Bankruptcy
17 Court Motions; it struck Kontrabecki’s jury demand and determined that the claims asserted in the
18 Adversary Proceeding are core matters.

19 5. Kontrabecki intends to proceed with his Motion to Withdraw. In so doing, he
20 intends to modify his moving papers, among other things to address the Bankruptcy Court’s
21 decisions on the Bankruptcy Court Motions and to take account of other developments since the
22 Motion to Withdraw was initially filed.

23 6. Subject to Court approval, the parties have agreed on a briefing and hearing schedule
24 for the renewed Motion to Withdraw, as follows:

- 25 a. Kontrabecki’s revised opening papers shall be served by November 3, 2006.
- 26 b. Lehman’s opposition shall be served by November 17, 2006.
- 27 c. Kontrabecki’s reply shall be served and filed by November 27, 2006.
- 28 d. The hearing shall be held December 8, 2006, at 10:00 a.m.

7. The parties believe that to adequately address the complex factual background and multiple legal issues presented by the Motion to Withdraw will require more extensive briefing than the standard 25-page limit established by the Local Rules. Accordingly, the parties jointly ask the Court to authorize over-length briefs of not more than **40 pages** for Kontrabecki's opening brief and Lehman's opposition brief.

Dated: October 20, 2006

HELLER EHRMAN LLP
McKENNA LONG & ALDRIDGE LLP

By: /s/ Peter J. Benvenuti

Peter J. Benvenuti
Attorneys for Plaintiff
Lehman Brothers Holdings Inc.

Dated: October 20, 2006

FARELLA BRAUN + MARTELL LLP
ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

By: /s/ Robert H. Sloss

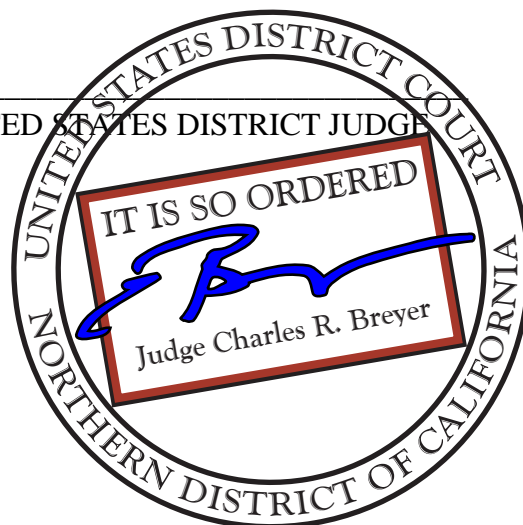
Robert H. Sloss
Attorneys for Defendant John Kontrabecki

ORDER

IT IS SO ORDERED.

Dated: October 23, 2006

UNITED STATES DISTRICT JUDGE



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